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Question of Cyprus

Oceans and the law of the sea

Letter dated 19 May 2014 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention to the letter dated 25 April 2014 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/68/857) and to the note verbale from the Permanent Mission of Turkey to the United Nations dated 10 April 2014.

Turkey should first be reminded that the documents referred to in the letter of 25 April 2014, namely documents dated 17 October 2013 (A/68/537-S/2013/622), 29 October 2013 (A/68/555-S/2013/634), 12 November 2013 (A/68/593-S/2013/662), 5 December 2013 (A/68/644-S/2013/720) and 13 February 2014 (A/68/759), were sent to the Secretary-General by the undersigned Permanent Representative of the Republic of Cyprus to the United Nations. Cyprus is 1 of the 193 States Members of the United Nations and 1 of the 166 States parties to the United Nations Convention on the Law of the Sea.

Through that letter, Turkey claims, by reference also to previous communications, that the maritime areas that are west of longitude 32°16′18″E fall allegedly within its "continental shelf". Cyprus did reject the unfounded claims contained in those communications with a letter to the Secretary-General dated 15 June 2012 (A/66/851), as well as with a note verbale dated 28 December 2004, published in the *Law of the Sea Bulletin*, No. 57. In the same context, Cyprus reiterates its position that Turkey's claim over the said areas disregards completely the exclusive economic zone and the continental shelf of the Republic of Cyprus. The rights to such maritime zones, including the sovereign rights and jurisdiction attached thereto, emanate from the United Nations Convention on the Law of the Sea, which enjoys near-universal participation and reflects the relevant customary international law. Turkey's claim over the exclusive economic zone and the continental shelf of the Republic of Cyprus west of longitude 32°16′18″E has no basis whatsoever in the Convention or customary international law.

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With regard to the remainder of the letter, it is recalled that the Security Council, through resolutions 541 (1983) and 550 (1984), deplored the purported secession of part of the Republic of Cyprus and considered the declaration of the "Turkish Republic of Northern Cyprus" as legally invalid, while calling upon all States not to facilitate or in any way assist that secessionist entity. It follows that any "agreements" with this illegal entity are also legally invalid ab initio. In this particular case, the "delimitation agreement" referred to by Turkey in its letter, as well as in its note verbale of 10 April 2014, is completely null and void and stands in flagrant violation of international law. Moreover, the coordinates listed in those communications as defining the alleged limits of Turkey's continental shelf in the maritime area between the north coast of the Republic of Cyprus and the south coast of the Republic of Turkey have no validity whatsoever under international law or the Convention. Cyprus recalls that the Convention provides that the delimitation of the exclusive economic zone/the continental shelf between States with opposite or adjacent coasts shall be effected by agreement on the basis of international law. No such agreement has been concluded so far between the Republic of Cyprus and the Republic of Turkey.

Turkey's brazen circulation of this lamentable document constitutes yet another example of a diatribe in lawlessness and contempt for the international legal order, manifesting that country's cynical attitude. The Government of the Republic of Cyprus will not tire of reminding Turkey that *allegans suam turpitudinem non est audiendus*.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 42 and 76, and have it published in the next *Law of the Sea Bulletin*.

(*Signed*) Nicholas **Emiliou**
Permanent Representative